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منظمة العفو الدولية
國際特赦組織

TL 3977

URGENT ACTION

EXTERNAL **AI Index: ASA 21/36/97**

14 May 1997

Further information on EXTRA 41/97 (ASA 21/17/97, 24 March 1997) and follow-up (ASA 21/18/97, 26 March) - Fear of torture/ill-treatment/possible prisoners of conscience

EAST TIMOR **33 youths**

Thirty-three of those arrested during a demonstration on 23 March 1997 at the Mahkota Hotel in Dili, East Timor during a visit to the territory by the United Nations Secretary-General's Personal Representative, Mr Jamsheed Marker, are detained in custody awaiting trial. It was previously believed that only 24 remained in custody.

Sixteen people are facing charges of assault under Article 354 of Indonesia's Criminal Code. They are: Olga Amaral (f), Celina Pires da Costa (f), Anino da Silva, Agusto Raimundo Matos, Jose Gabriel, Domingos Sarmento, Joao Henrique (alias Elias), Rafael de Almeida, Constancio G Leite, Abel Ximenes, Jose Sarmento Boavida (alias Jose), Zito Borges, Mateus da Costa Inacio, Alecio da Silva Ximenes, Bendito Amaral Alves, Anacleto da Silva.

Three people, Marito Brafas Soares, Cancio A Henrique Guterres and Alberto da Costa (alias Bareto), are facing trial under Article 154 of the Criminal Code, one of the so-called "Hate-sowing" Articles which punish expressing "hatred" towards the government or government bodies. Under Article 154 the "public expression of feelings of hostility, hatred or contempt toward the government" is punishable by up to seven years' imprisonment.

A further 14 people are facing a primary charge under Article 154 and a subsidiary charge under Article 155 which prohibits the expression of feelings of hostility, hatred or contempt towards the government through the public media, with a maximum penalty of four and a half years' imprisonment. The 14 are: Luis de Fatima Pereira, Dominggos da Costa, Nelson Pereira, Amaro Pereira, Miguel Alves, Ronaldo Brazil Januario, Carlos Gusmao, Celestino Manuel Pereira, Mateus da Costa Belo, Mariano da Silva, Moises Feliciano Soares, Alipio Soares, Hermenegildo da Costa and Thomas Augusto Correiro.

All 33 are being detained at Dili's Becora Prison. A schedule for the trials has not yet been set but it is believed that they will begin after Indonesia's parliamentary elections on 29 May 1997.

The 33 were arrested as the security forces attempted to break up the peaceful demonstration at the hotel. Sources claimed that the demonstrators were prevented from leaving the hotel when the doors were locked after the arrival of the security forces. Some demonstrators received cuts as they attempted to leave through broken windows. Others were beaten by the security forces upon arrest. Indonesia's National Commission on Human Rights has criticised the security forces for the violent manner in which they broke up the demonstration. On 29 March, Clementino Dos Reis Amaral, a member of the Commission, was quoted as saying *"[p]olice attacked the protestors with sticks and also kicked and punched them"*. Eleven of those wounded were treated in hospital, but at least four of these are now on trial, including two women and one man who are facing charges of assault.

Amnesty International is concerned that 17 of the group, having been charged under the "Hate-sowing" Articles, are being tried for the peaceful expression of their beliefs.

No further appeals by the UA Network are required as this case will now transfer to other AI Networks. Many thanks to all who sent appeals.

Amnesty International, International Secretariat, 1 Easton Street, London WC1X 8DJ, United Kingdom

Tel: (44)(171) 413 5500 Fax: 956 1157 Telegrams: Amnesty London WC1 Telex: 28502 E-mail: uateam@amnesty.org